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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,835	11/21/2003	Jay King	UTL 00198	1328
7590 Kyocera Wireless Corp. P. O. Box 928289 San Diego, CA 92129-8289	07/05/2007		EXAMINER KURR, JASON RICHARD	
			ART UNIT 2615	PAPER NUMBER
			MAIL DATE 07/05/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/718,835	KING, JAY	
	Examiner	Art Unit	
	Jason R. Kurr	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 21 November 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-13 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 21 November 2003 is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ .

5) Notice of Informal Patent Application

6) Other: ____ .

DETAILED ACTION

Drawings

The drawings are objected to because the present figures merely show reference numbers. A brief description should accompany the reference numbers of the circuit elements that are not easily recognized. For example, reference number 10 should be labeled "Playback Device", whereas reference number 36 does not require a description because it is easily recognized as a resistor. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-5 and 7-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kurosawa et al (US 4,433,209).

With respect to claim 1, Kurosawa discloses an audio playback device interface (fig.4) for interface with an audio headset (col.1 ln.5-22), said interface comprising a load (fig.4 "R2") in series between an audio output of a stereo headset driver (fig.4 "IN_R", "A2") of an audio playback device and a ground (fig.4 "E").

With respect to claim 3, Kurosawa discloses an audio playback device comprising: a stereo headset driver (fig.4 "A1-A2") for amplifying a first (fig.4 "IN_L") and a second (fig.4 "IN_R") audio signal to a headset; a headset jack (fig.4 "J") for contacting a headset plug (fig.2A,B) in communication with a headset, said headset jack in communication with output from said stereo headset driver; and a load (fig.4 "R8") between said headset jack and a first audio output from said stereo headset driver for preventing a first audio output from contacting ground (fig.4 "E").

With respect to claim 4, Kurosawa discloses the audio playback device of claim 3 wherein said load comprises a resistance (fig.4 "R8") in series between a first audio output from said stereo headset driver and a ground.

With respect to claim 5, Kurosawa discloses the audio playback device of claim 3 further comprising a second load (fig.4 "R2") between said headset jack and a second audio output (fig.4 "INR") from said stereo headset driver.

With respect to claim 7, Kurosawa discloses the audio playback device of claim 5 wherein said second load comprises a resistance (fig.4 "R2") in series between a second audio output (fig.4 "INR") from said stereo headset driver (fig.4 "A1-A2") and said headset jack (fig.4 "J").

With respect to claim 8, Kurosawa discloses a mobile communication device comprising: a stereo headset driver (fig.4 "A1-A2") for amplifying a first (fig.4 "INL") and a second audio signal (fig.4 "INR") to a headset; a headset jack (fig.4 "J") for contacting a headset plug (fig.2A,B) in communication with a headset, said headset jack in communication with output from said stereo headset driver; and a load (fig.4 "R8") between said headset jack and a first audio output from said stereo headset driver for preventing a first audio output from contacting ground (fig.4 "E").

With respect to claim 9, Kurosawa discloses a method of making a stereo audio playback device compatible with stereo and mono headsets (col.1 ln.5-22) comprising: providing a headset driver (fig.4 "A1-A2") for the audio playback device for amplifying a first (fig.4 "INL") and a second (fig.4 "INR") audio signal to a headset; and placing a load

(fig.4 "R8") on a first audio output from the headset driver to prevent a first audio output from contacting a ground (fig.4 "E") on a headset plug (fig.2A,B "Ce").

With respect to claim 10, Kurosawa discloses the method of claim 9 wherein placing a load on a first audio output comprises placing a resistance (fig.4 "R8") in series between a first audio output from the stereo headset driver (fig.4 "A1-A2") and a ground (fig.4 "E").

With respect to claim 11, Kurosawa discloses the method of claim 9 further comprising placing a load (fig.4 "R2") between a second audio output (fig.4 "INR") from the headset driver and a headset jack (fig.4 "J") of the audio playback device.

With respect to claim 12, Kurosawa discloses the method of claim 11 wherein placing a load on a second audio output comprises placing a resistance (fig.4 "R2") in series between a second audio output from the stereo headset driver and a headset jack.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurosawa et al (US 4,433,209).

With respect to claim 2, Kurosawa discloses the audio playback device interface of claim 1 further comprising a second load (fig.4 "R8"), said second load in series between a second audio output of a stereo headset driver (fig.4 "INL", "A1") and a headset jack (fig.4 "J") of an audio playback device.

Kurosawa does not disclose expressly wherein the second load is equal to said first load. At the time of the invention it would have been obvious to a person of ordinary skill in the art to make the loads of the right and left channels of Kurosawa equal. The motivation for doing so would have been to draw the same amount of current from the audio drivers A1 and A2, thus resulting in a balanced signal in each earphone for sound reproduction.

With respect to claim 6, Kurosawa discloses the audio playback device of claim 5 however does not disclose expressly wherein the resistance of said second load is equal to the resistance of said first load. At the time of the invention it would have been obvious to a person of ordinary skill in the art to make the loads of the right and left channels of Kurosawa equal. The motivation for doing so would have been to draw the same amount of current from the audio drivers A1 and A2, thus resulting in a balanced signal in each earphone for sound reproduction.

With respect to claim 13, Kurosawa discloses the method of claim 11 however does not disclose expressly wherein the resistance of said second load is equal to the resistance of said first load. At the time of the invention it would have been obvious to a person of ordinary skill in the art to make the loads of the right and left channels of Kurosawa equal. The motivation for doing so would have been to draw the same

amount of current from the audio drivers A1 and A2, thus resulting in a balanced signal in each earphone for sound reproduction.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Masaki (US 5,642,424) discloses a device for connecting external sound generators.

Kim et al (US 5,655,025) discloses a circuit for automatically recognizing and receiving mono and stereo audio signals.

Colegrave et al (US 6,711,268 B2) discloses an automatic stereo/monaural headphone.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason R. Kurr whose telephone number is (571) 272-0552. The examiner can normally be reached on M-F 10:00am to 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (571) 273-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JK
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6/25/07